

July 12, 2019

Ms. Michelle Carey, Chief
Media Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Comments to Media Bureau on USA Network's Petition for Limited Waiver of Video Description Requirements (DA 19-563)

Dear Michelle Carey:

On behalf of the American Council of the Blind (ACB), I am submitting the following comments on USA Network's petition for limited waiver of video description requirements (DA 19-563).

ACB is a democratic national grassroots consumer-based advocacy group that strives to increase the independence, security, equality of opportunity, and quality of life for all blind and visually impaired people. Each year, the members of ACB consider resolutions to provide direction for the ACB advocacy efforts. In 2019, the ACB membership considered resolutions during the 58th ACB annual convention in Rochester, NY.

On Thursday, July 11, 2019, the ACB membership considered and approved the included resolution by unanimous consent. In this resolution, the ACB membership voted to support the roughly two-year limited waiver of video description requirements for USA Network, and opposed the creation of a safe harbor for all other non-broadcasters. This resolution was drafted, debated and subsequently approved by the membership body in assembly at the 58th ACB annual convention in Rochester, NY.

Please do not hesitate to contact me if you have any questions regarding ACB or these comments.

Sincerely,



Clark Rachfal
Director of Advocacy and Governmental Affairs
American Council of the Blind

American Council of the Blind
58th Annual Convention
Resolution: Video Description Safe Harbor

Whereas, NBC-Universal submitted a petition to the Federal Communications Commission (FCC) to create a two-year safe harbor from audio description requirements for USA Network and all non-broadcast pay-TV channels (e.g., The History Channel, HGTV, etc.); and

Whereas, NBC-Universal collaborated over the past year with ACB to develop the compromise terms of this petition for USA Network; and

Whereas, while USA Network airs more than 1,500 hours of described content each quarter, due to the preponderance of on syndicated content and marathon airings, less than 10% of the audio description shown by USA Network is counted toward the FCC's existing audio description requirements; and

Whereas, USA Network would need to audio describe more than 1,000 hours of programming each quarter, nearly twelve-times the current requirement of 87.5 hours per quarter, and describe more than 75% of original content to satisfy the terms of this petition for limited waiver; and

Whereas, ACB believes this petition for limited waiver recognizes the commitment of USA Network to audio described content, and has the potential to increase the amount of audio described content available to viewers of USA Network; and

Whereas, other non-broadcast pay-TV channels have not collaborated with the disability community to understand the importance of audio description, nor have other non-broadcast pay-TV channels demonstrated the same commitment to producing audio described content as USA Network.

Now, therefore, be it resolved that this organization urges The FCC to approve the NBC-Universal two-year petition for a limited waiver of audio description requirements for USA Network only;

Be it further resolved that this organization does not support expanding a safe harbor to all non-broadcast pay-TV channels; and

Be it further resolved that this organization believes that it is imperative that all non-broadcast pay-tv channels work with the American Council of the Blind directly to expand the amount of available audio described programming.